## KNI-162-A

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Akedo et al.

Serial Number:

10/070,104

Filed:

19 February 2002 (1976) 11 101

Group Art Unit:

Unknown

Examiner:

Unknown

Confirmation Number:

9552

Title:

COMPOSITE STRUCTURE AND METHOD AND

APPARATUS FOR FORMING THE SAME

## RESPONSE AND OBJECTION TO <u>ERRONEOUS</u> NOTIFICATION <u>OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371</u>

Attention: Box PCT

Commissioner For Patents Washington, D.C. 20231

Sir:

The Notification Of Missing Requirements under 35 U.S.C. 371 dated 07 May 2002 incorrectly states that a proper declaration has not been submitted for the referenced application. The notice further incorrectly states that a late surcharge of \$130.00 is now due.

Applicant respectfully objects to the requirement to file another declaration, and to the requirement to pay an unwarranted late surcharge, based on the following:

Applicant respectfully submits that two (2) original, signed declaration documents were filed concurrently with the application on 19 February 2002. Both declaration documents reference the same invention and the same Japanese and International priorities. One declaration document was prepared for and signed by the inventor residing in Ibaraki, Japan; another declaration document was prepared for and signed by the six inventors residing in Fukuoka, Japan. Between the two (2) documents, all seven (7) inventors were named and all seven (7) inventors' signatures were included. Thus, all inventors have executed a declaration of inventorship, as required under 37 CFR §1.497.

Enclosed are reduced copies of both signed declaration documents, and an enlarged copy

of the return receipt postcard acknowledging receipt of "Original Signed Declaration Documents" (emphasis added) at the United Stated Patent And Trademark Office effective 19 February 2002.

Because properly-executed declarations of inventorship for all inventors in the referenced case were filed by the applicant, and were timely received in the U.S. Patent Office concurrently with the application, applicant respectfully submits that no surcharge for late filing of same is now due. Applicant therefore requests reconsideration and withdrawal of the erroneous Notification Of Missing Requirements for the above-identified application.

Enclosed is a copy of the Notification Of Missing Requirements as required. Favorable reconsideration is respectfully requested.

Sincerely,

Customer Number 21828 Carrier, Blackman & Associates, P.C. 24101 Novi Road, Suite 100 Novi, Michigan 48375 14 May 2002

William D. Blackman Attorney for Applicant Registration No. 32,397 (248) 344-4422

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to Attention: Box PCT, Commissioner For Patents, Washington, D.C. 20231 on 14 May 2002.

Dated: 14 May 2002 WDB/km/eb enclosures

Kathryn MacKenzik

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## Declaration and Power of Attorney For Patent Application

### 特許出願宣言書及び委任状

Japanese Language Declaration

#### 日本部分会会

下記の氏名の兄弟者として、森は以下の祖り宣言します。	As a below passed insender, I havely decises that:				
なの住所、在書名、図像は下記のなの氏名の意味記載され た出りです。	the mediance, post office orbitant and differently we are stated until to appears.				
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Page 1 of 3

名は、選択組織技術等 7 部第 1 条 5 名 東京 北美 されると (accessiving the day to disclose information which is main はり、 保存支持の有限とついて主要な情報を展示する教育が あることを探めます。 Rectine 1 は、Rectine 1 は は Rectine 1 は

なは、特殊技術画を含む上記打正規の利益を放射し、 内容を選択していることをことに表明します。

oved for use through 93058, OMS: COTTON, U.S. DEPARTMENT OF CO on unless & displays a walld OMS con-Petent and Tradi Under the Paparwork Reduction Act of 1925, no persons are required to respond to a collection of informa-Japanese Language Declaration (日本語宣言書) 受任状: 私は下記の免明者として、本出版に助する一切の ・現着を全検弁所護制に対して設計する考生主文化代理人 として、下記の者を指令化とします。 (身産士、支土は代理 人の氏告及び生産者を引化します。) Joseph P. Carrier. Reg. No. 31.748; William D. Blackman, Reg. No. 32.397 會概范付免 CARRIER, BLACEMAN & ASSOCIATES, P.C. 24101 NOVI ROAD, SUTTE 100 NOVI. MICHIGAN 48375 直接電影連集先: (名前及び電影音号) JOSEPH P. CARRIER 248-344-4422 唯一主义这第一是明督名 Pull region of sale or first investiga Jun AKEDO ) ac. 3, 200/ 交割者の署名 Jan Dhala 眩 Ibaraki, Japan 田等 Japanese Japanese michiga Admini c/o Tsukura Center Past, Rational Institute of Advanced Industria 889 SCHERCE AND TECHNOLOGY 2, Essiki I-chome, Tsukuba-shi, Ibaraki, Pull number of succeed joint inventor, if may 第二章概念明書 BA Second Insurior's signature **(£15**)

Japanese Language Declaration

## (日本語宜含書)

塩は、米田佐良第35番119条(n)-(の 復文は365条(n)現に送着す下記の、土曜以外の国の少なくを・→ 2個を形成したのである。 2000年では、1000年で、1

PCT/3000/07076 International (Country) (M&) 2001-289904 Japan

在は、第35組末型法典119条(6)根に基いて下記の未 誤符的迅度変定に記載された他利をことを主要いたします。

(Application No.) . (Filing Date) (計算書号) (BB(B)

アの知用のアスルネルを、選択関係を発揮する第37回1条56項 で企業された特別技能の言葉に関する重要な価値について関 最後基準あることを開発しています。

(Application No.) (出版語号)

(Filing Data) (出版日) (田田香香)

塩比、我自身の加速に基外いて本宣音等やで表が行なう使 明式真実であり、かつ場の入手した管理と思め位とるところ に基子を表明が全て頂式であると位とでいること。そらに成 意になるために最か必要表記でもした同等の行法と関係会 1 金額第 1 0 0 1 条に基子を、発生まとは前途、もしく位そ の同力により発明されること、そしてそのようを始またと 最後の可容を行なたが、出版した、又は郊に許可された特許 の者効性が失われることを開業し、よってここに上記のごと イギがと申し、ま

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Priority list Claimed 優先権主要なし 12 October 2000 (DeyMonth/Year Fled) (出版年月日) 12 October 1999 'n

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(店里年月日)

(Application No.) (Filling Date) (密原用)

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(現民:特許許可等、保護中、旅運等)

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Page 2 of 3

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Declaration and Power of At	torney For Patent Application
特許出版宣信	1者及び委任状
Japanese Lang	uage Declaration
日本1	<b>有官者</b>
下記の氏名の完明者として、私は以下の近り宣言します。	As a below second inventor, I imply declare that:
なの住所、収容等、図数は下記の年の氏もの表に記載され た通りです。	bly residence, post office address-and clitzmethy are an obsted earl to any name.
下記の名称の受明に同して語水都原に記念され、例析出頭 している見明内容について、従来是哲か一年一の差別者(下 記の氏をボーンの場合)。もしくは最初かっ実用見明者である と(下記の名歌が確立の番号)信じています。	I believe I can the original, first and colo inventor jet only one messo in Sixel belong or an original, their said plate inventor jet planet sames are Stood indeed; of the original mother which is deduced and for which a point in original on the invention quilled
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	APPARATUS FOR PURMING THE SAME
上級技術の利益者(予記の様での多ついていない場合は、 本書に銀付)は、	the specification of which is attached herein mises the following but is checked:
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窓北、特許資本配別を含む上配打正使の明治者を依針し、 内容を確停していることをことに表明します。	I hereby state that I have enforced and understand the contexts of the above blandlind openitication, including the claims, as assented by any assentional referred to above.
和は、連邦規則改良第37部第1条56項に定義されると おり、特許技格の書館について重要な情報を囲示する数数が あることを認めます。	i admonissing the duty to disclose information which is unstartal to putentiability as defined in Title 27, Gode of Federal Raggistions, Raction I St.

(第三以降の共同発明者についても同様に記載し、着名をす (Pagety shafay ba

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ること)

#### Japanese Language Declaration (日本語宣言者)

取は、全国性負債35個119条(A)-(4)項又は365条(b)項に差を下記の、全環以外の間の少なくとも一か回を設定している保険性がある。36(6)項に差すで回避犯別、又は外間での保証期間が同じ、は受害者を必要についての外間保険性をここに主義するととなる。任業者を正常している。本規定の資化出版された特許または発育者の外間出版を以下に、条件をマーテすることで、単しています。

Prior Foreign Application(s)
##8 to ##871588
FCT/JP00/07076 International
(Number) (Country)
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名は、第36個米国社会119条(0項に基外で下記の法 国特許の関東定に記載された権利をここに主張いたします。

(Application No.) (Filing Date) (出版日)

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(Application No.) (Filing Date) (田湖日)
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報此、収点点の加速に至すいて本主管を中でをが行った。 明が実施であり、かつ知の入手した管理と担の性にちところ に至すく表明か全で開かせることをしていること。そらに他 選になられた成場の表明及びそれと同年の行為北半国出典第 18部第1001余水高する。 関金まとは実施、もしく社そ の両方により見得されること。そしてそのような世紀による 定角の両側を存むは、出別した。 又居に下野された特所 のぞが世が失われることを提集し、よってここに上記のごと く宣誓を表します。 I basely claim foreign entority under Tills 18. United States Code, Socials 175 (c)-64 or 25554 of any investiga applicationcy in present or invested? coefficients, or 26556 of any Fort international application which designated at least one country officer State States (Intelled States, States) better the committy officer States States, such the designation and the state intelled below, by checking the box, any foreign application are painted or intention's coefficients, or PCT international application bendage at States believe that of the application on which principly in claimed. Priority Sect Claimed.

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#### Japanese Language Declaration (日本語宜官書)

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CARRIER, BLACKMAN & ASSOCIATES, P.C. 24101 HOVI BOAD, SULTE 100 HOVI, HICHIGAN 48375

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JOSEPH P. CAPRIER

JOSEPH P. CAPRIER 248-344-4422

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	Tatsuro TOKUTANA
第二共同党明者 . 日付	Second Insurant's digrature Date
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	Kokura-kita-ku, Kita-kyushu-shi,
	Pukuoka, Japan

Page 3 of 5

第三の共同発明者氏名	full name of third joint inventor, if any Katsuhiko MORI
発明者の署名 日付・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・	Signature Bate  Katuhiko Mori Dec. 3, 200
性所	Residence Fuknoka, Japan
	Citizenship  Japanese
<b>多</b> 便住所	Pest Office Address c/o TOTO LTD., 1-1, Hakashima 2-chom
	Kokura-kita-ku, Kita-kyushu-chi, Fukuoka, Japan
節四の共同発明者氏名	Fall mans of fourth joint laventer, if any Hiromori HATOMO
発明者の署名 日付	Signatura Bale Hironori Hatono Dec. 3. 200
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<b>D</b>	Citizenship  Japanesa
<b>你</b> 便住所	Pesi Office Address c/o TOTO LTD., 1-1, Nakashima 2-chom
	Kokura kita ku, Kita kyusha shi, Fuknoka, Japan
第五の共同発明者氏名	Full name of fifth joint inventor, if any Massakatsu KIYOHARA
発明者の観名 日付	Signature Pate Pec. 3.20
住所	· Residence Pukuoka, Japan
	Citisenship Japanese
郵便住所	Post Office Address c/o TOTO LTD., 1-1, Hakashima 2-chom
	Kokura kita ku, Kita kyusha shi, Fukuoka, Japan

第六の共同発明者氏名	Full name of sixth joint inventor, if any	
	Yuji ASO	
発明者の署名 日付	Signature Pate	
	you der Deus 200	
住所	Rosidence	
	Pukuoka, Japan	
	Citisenship	
	Japanese	
郵便住所	Post Office Address	
·.	c/o TOTO LTD., I-1, Hakashima 2-cho	
	Kohura-kita-ku, Kita kyushu-shi,	
	Fukuoka, Japan	
第七の共同発明者氏名	Full name of seventh joint inventor, if any	
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発明者の署名 日付	Signature Pate	
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第八の共同発明者氏名	Full name of eighth joint inventor, if any	
発明者の署名 日付	Signature Bate b	
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Applicant: Akedo et al.
Serial No Unknown For Composite Structure and Microsofian Apparatus Docket: KN1-161-4

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### UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT United States Patent and Trademark Office Washington, D.C. 20231

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY, DOCKET NO.	
10/070,104	Akedo	KNI-162-A INTERNATIONAL APPLICATION NO. PCT/JP00/07076	
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21828	Г	I.A. FILING DATE	PRIORITY DATE
CARRIER BLACKMAN AND ASSOCIATES	_	10/12/2000	10/12/1999

21828 CARRIER BLACKMAN AND ASSOCIATES 24101 NOVI ROAD SUITE 100 NOVI, MI 48375

CONFIRMATION NO. 9552 371 FORMALITIES LETTER

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Date Mailed: 05/07/2002

RECEIVED MAY 1 3 2002

# NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494):

- U.S. Basic National Fees
- Priority Document
- Assignee Statement
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- English Translation of the IA
- Information Disclosure Statements
- Oath or Declaration
- Preliminary Amendments

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - All the inventors must be identified on all the declarations.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 20 months months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR

NECENTED JUN 0 5 2002 USPTO MAIL CENTER

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